

1A/P7 Rec'd PCT/PTO 02 MAY 2006

PATENT  
Attorney Docket No.: JHU2090-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Rothstein and Ruggiero  
Application No.: 10/542,841 435  
I.A. Filing Date: January 18, 2004  
Title: METHODS OF IDENTIFYING MODULATORS OF CELLULAR GLYCOSYLATION USING GTRAP3-18

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 mailed March 7, 2006, enclosed are:

1. One (1) copy of the Notification of Missing Requirements under 35 U.S.C. 371 mailed March 7, 2006 (3 pages);
2. One (1) executed Declaration For Patent Application (3 pages);
3. One (1) Power of Attorney by Assignee (2 pages);
4. Preliminary Amendment in Response to Notification of Missing Requirements under 35 U.S.C. 371 (3 pages);
5. Statement under 37 CFR § 1.821(f) and (g), (1 page);

05/26/2006 MKAYPAGH 00000133 10542435 →

01 FC:2617 65.00 OP

Adjustment date: 05/26/2006 MKAYPAGH  
05/11/2006 MKAYPAGH 00000153 10542841  
01 FC:2617 65.00 OP

05/26/2006 MKAYPAGH 00000133 10542435  
01 FC:2617 65.00 OP

CERTIFICATION UNDER 37 CFR §1.10 "EXPRESS MAIL" Mailing Label Number: <u>EV 841 622 942 US</u> Date of Deposit: <u>May 2, 2006</u>	
I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
<u>JANELLE HUMPHREY</u> (Name of Person Mailing Paper)	
<u>Janelle Humphrey</u> (Signature) May 2, 2006 (Date)	

In re Application of:  
Rothstein and Ruggiero  
Application No.: 10/542,435  
I.A. Filing Date: January 18, 2004  
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Attorney Docket No.: JHU2090-1

6. Verified Statement under 37 CFR § 1.821(f) (1 page);
7. Sequence Listing (7 pages);
8. One (1) CFR Disk Containing Sequence Listing;
9. Check No. 581703 in the amount of \$65.00; and
10. Return Receipt Postcard.

Applicants claim **SMALL ENTITY** status in the above-identified application. Pursuant to 37 C.F.R. § 1.27, a verified statement claiming small entity status is not required.

The filing fee has been calculated as follows.

	Number Filed		Number Extra		Rate			Fee	
					Small Entity	Large Entity		Small Entity	Large Entity
Total Claims	64-20	=	44	X	\$25	\$50	=	[\$1,100.00]	\$ .00
Independent Claims	9-3	=	6	X	\$100	\$200	=	[\$ 600.00]	\$ .00
Multiple Dependent Claims Present: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					\$180	\$360		[\$ 180.00]	N/A
Fee for Each Additional 50 Sheets in Excess of 100 Pages					\$125	\$250		N/A	N/A
							FILING FEE	[\$ 150.00]	\$ 300.00
							SEARCH FEE	[\$ 50.00]	\$ 100.00
							EXAM FEE	[\$ 50.00]	\$ 100.00
							SURCHARGE FEE	\$ 65.00	\$ 130.00
							TOTAL FEE	\$ 65.00	

In re Application of:  
Rothstein and Ruggiero  
Application No.: 10/542,435  
I.A. Filing Date: January 18, 2004  
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PATENT  
Attorney Docket No.: JHU2090-1

Enclosed is Check No. 581703 in the total amount of \$65.00; which consists of \$65.00 for the late declaration surcharge fee pursuant to 37 CFR 1.492(e). The Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment to Deposit Account No. 07-1896. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

  
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Lisa A. Haile, J.D., Ph.D.  
Registration No.: 38,347  
Telephone: (858) 677-1456  
Facsimile: (858) 677-1465

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DLA PIPER



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[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/542,435	Jeffrey D Rothstein	JHU2090-1
INTERNATIONAL APPLICATION NO.		
PCT/US04/01162		
I.A. FILING DATE	PRIORITY DATE	
01/18/2004	01/17/2003	
PATENT DOCKETING		
MAR 13 2006		
CONFIRMATION NO. 2771		
371 FORMALITIES LETTER		
*OC000000018188316*		

Date Mailed: 03/07/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 07/15/2005
- Copy of IPE Report filed on 07/15/2005
- Preliminary Amendments filed on 07/15/2005
- Oath or Declaration filed on 07/15/2005
- Request for Immediate Examination filed on 07/15/2005
- U.S. Basic National Fees filed on 07/15/2005
- Priority Documents filed on 07/15/2005
- Specification filed on 07/15/2005
- Claims filed on 07/15/2005
- Abstracts filed on 07/15/2005
- Drawings filed on 07/15/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27,

must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$65** for a Small Entity:

• **\$65 Surcharge.**

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Additionally the following defects have been observed:

- The International Search Report has not be supplied, the Search Fee has been adjusted to reflect this omission.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed

to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN R MCLEAN

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Telephone: (703) 308-9140 EXT 214

PART 1 - ATTORNEY/APPLICANT COPY

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/542,435	PCT/US04/01162	JHU2090-1

FORM PCT/DO/EO/905 (371 Formalities Notice)